

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 07, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TONISE H.,¹

Plaintiff,

v.

COMMISSIONER OF SOCIAL

SECURITY,

Defendant.

No. 1:23-CV-03211-SAB

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND**

Before the Court is the parties' Stipulated Motion For Remand, ECF No. 14. Plaintiff is represented by D. James Tree. Defendant is represented by Jacob Phillips and Brian Donovan.

The parties stipulate and agree that the above-captioned case be reversed and remanded to the Commissioner of Social Security for a new hearing before an Administrative Law Judge (ALJ).

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion For Remand, ECF No. 14, is **GRANTED**.

2. The decision of the Commissioner is reversed and remanded. On remand,

¹ Pursuant to the recommendation of the Committee on Court Administration and Case Management of the Judicial Conference of the United States, Plaintiff's name is partially redacted.

1 the ALJ will offer the claimant a new hearing and issue a new decision for the
2 period prior to January 23, 2020, while not disturbing the favorable portion of the
3 prior decision for the period since January 23, 2020; take any necessary action to
4 complete the record; reassess the medical opinions; and proceed through the
5 sequential evaluation, obtaining vocational expert testimony as necessary.

6 3. The parties agree this remand be made pursuant to sentence four of
7 42 U.S.C. § 405(g), and that Plaintiff may be entitled to reasonable attorney fees
8 and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon
9 proper request to this Court.

10 4. The Clerk of Court is directed to enter judgment in favor of Plaintiff and
11 against the Commissioner.

12 5. Plaintiff's Opening Brief, ECF No. 7, is **STRICKEN**.

13 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
14 file this Order, provide copies to counsel and **close** the file.

15 **DATED** this 7th day of June 2024.



20 A handwritten signature in blue ink, reading "Stanley A. Bastian".

21 Stanley A. Bastian
22 Chief United States District Judge
23
24
25
26
27
28